



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
One Blackburn Drive  
Gloucester, MA 01930

June 24, 2005

Dear Permit Holder,

This letter summarizes reporting requirements for Highly Migratory Species International Trade Permit (HMS ITP) holders. Please note that this summary is not a replacement for the regulations governing reporting requirements (50 CFR 300. 183-187 and 189), and the regulations hold precedence.

These requirements are established under international agreements and domestic law. The United States must implement recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and Inter-American Tropical Tuna Commission (IATTC), both of which have adopted statistical document programs for frozen bigeye tuna. In addition, ICCAT has adopted bluefin tuna and swordfish statistical document programs. A statistical document program for southern bluefin tuna under the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) is also being implemented by the United States.

The bluefin tuna statistical document program (BSD) that has been in effect since the mid-1980's ***will remain unchanged under these new regulations***, with the exception of an additional requirement for re-exports (see "Imports" below). Tags will still be used for bluefin tuna landed in the United States, and validation is not necessary for tagged bluefin. For further information on the BSD program or to obtain separate reporting instructions and pre-numbered statistical documents for bluefin tuna, please contact Kathy Goldsmith (Atlantic coast 978/281-9140) or Patricia Donley (Pacific coast 562/980-4033).

Several documents are attached to this letter for your use and information. These documents may be reproduced locally for use in satisfying reporting and documentation requirements. These documents may also be accessed at [http://www.nmfs.noaa.gov/sfa/hms/ITP/International\\_Trade\\_Permit.htm](http://www.nmfs.noaa.gov/sfa/hms/ITP/International_Trade_Permit.htm). The attached documents are as follows:

*ICCAT Statistical Documents for swordfish and frozen bigeye tuna;*  
*ICCAT Re-export Certificates for swordfish and frozen bigeye tuna;*  
*IATTC Statistical Document & Re-export Certificate for frozen bigeye tuna;*  
*CCSBT Statistical Document & Re-export Certificate for southern bluefin tuna;*  
*HMS International Trade Biweekly Report*



### **Covered Species**

Reporting requirements are applicable for trade of bluefin tuna, southern bluefin tuna, swordfish and frozen bigeye tuna. (Note that there are some exceptions to bluefin reporting due to the previously implemented BSD program.)

### **Imports**

An import of any covered species that comes into the country as an “entry for consumption” must be accompanied by a correctly completed statistical document (and re-export certificate if applicable), from the country of export.

*If the product is consumed in the United States*, the permit holder must complete the Import Section of the statistical document (Box 8), and mail the original to NMFS within the required timeframe (see below), at the address indicated below. The shipment entry number assigned by US Customs and Border Protection (CBP) must be noted at the top of the document (there is no box for it – just write it in). The permit holder must retain a copy of the statistical document on file for two years.

*If the product is re-exported*, the U.S. importer must complete the Import Section of the statistical document (Box 8). If the shipment remains intact (i.e., is not subdivided), it can be exported with the original statistical document as completed by the importer, without need for another document or validation. A copy of this statistical document must be provided to NMFS within the required timeframe (see below). If the shipment is subdivided, a re-export certificate must be completed by the U.S. exporter, and validated (see below). The original re-export certificate and the original statistical document must accompany the re-export. An individual re-export certificate is necessary for each sub-shipment, and a copy of the original statistical document may be used in the event more than one sub-shipment is exported. A copy of the re-export certificate and statistical document must be provided to NMFS within the specified time period.

Imports and re-exports must be recorded on biweekly reports (see below).

### **Exports**

Each export of a covered species from the United States must be accompanied by a complete statistical document. In order to be complete, Boxes 1-6 must be correctly completed and the statistical document must be validated and numbered (see below). The statistical documents provided in this mailing may be reproduced, or blank statistical documents are available at the website mentioned above. (Pre-numbered bluefin tuna statistical documents may be obtained by calling 978/281-9140). A copy of each validated statistical document must be provided to NMFS within the specified time period (see below). Exports must be recorded on biweekly reports (see below).

### **Validation**

Each statistical document accompanying an export, and each re-export certificate accompanying a re-export, must be validated and numbered by NMFS or an entity authorized by NMFS. Validation and numbering is obtained by faxing the document to **866/252-3751**. **NOTE: Return fax number and phone number MUST be specified,**

**and the document *MUST* be complete. Statistical documents and re-export certificates for tagged bluefin tuna do not require validation.** Validation services are available on a 24 hour/7 days-per-week basis. Your numbered and validated statistical document will be faxed back to you within approximately 2 hours of receipt. If you experience a delay, please contact the validating official at 843/724-6425. Please note that assistance in preparing a complete statistical document or re-export certificate, or in answering technical questions is only available during business hours at the following number: 228/762-7402 x-318.

NMFS validation of a statistical document or re-export certificate does not constitute an exemption from requirements of the Magnuson-Stevens Fishery Conservation and Management Act, Atlantic Tunas Convention Act, Tunas Convention Act, CBP regulations, or other applicable law. In addition, validation does not exempt an ITP holder, or any other person, from applicable requirements under 50 C.F.R. Parts 300 and 635, including prohibitions on the submission of false information.

### **Biweekly Reports**

All imports, exports, and re-exports must be recorded on the HMS Trade biweekly report and provided to NMFS within 10 days of the close of a biweekly reporting period. The biweekly report contained in this mailing may be reproduced, or blank forms are available at the website mentioned above. Copies of biweekly reports must be retained by permit holders for two years. (**NOTE:** Bluefin tuna landings and trade should be recorded on a separate form, the *Bi-weekly Atlantic Bluefin Tuna Landings and Trade Report*, available on the above website or by calling 978/281-9140).

### **Reporting Timeframe**

**Imports** - Within 24 hours of entry into the United States, original statistical documents must be submitted to NMFS, or a copy must be mailed/faxed to NMFS. If a copy is submitted or faxed, the original must be submitted with the biweekly report.

**Exports** – A copy of the statistical document (and re-export certificate, if applicable) must be faxed or mailed to NMFS and postmarked within 24 hours of the time the product was exported.

**Biweekly reports** - Biweekly reporting periods extend from the 1<sup>st</sup> of each month to the 15<sup>th</sup> of each month, and from the 16<sup>th</sup> of each month to the last day of each month. Biweekly reports must be submitted within ten days of the close of each reporting period.

### **Reporting Addresses**

#### **Swordfish, Southern**

#### **Bluefin tuna, and frozen**

#### **Bigeye tuna:**

NOAA/NMFS/NSIL

P.O. Drawer 1207

Pascagoula, MS 39568-1207

Attn: Lori Robinson

FAX: 228/762-0309

Phone: 228/762-7402 x-318

#### **Bluefin Tuna (Atlantic)**

NERO/NMFS/NOAA

1 Blackburn Dr.

Gloucester, MA 01930

Attn: Kathy Goldsmith

FAX: 978/281-9340

Phone: 978/281-9140

#### **Bluefin Tuna (Pacific)**

SWRO/NMFS/NOAA

501 W. Ocean Blvd, Ste 4200

Long Beach, CA 90802-4213

Attn: Trish Culver

FAX: 562/980-4047

Phone: 562/980-4239

**Parties Responsible for Reporting**

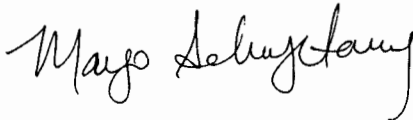
The permit holder is the party responsible for reporting. A permit must be held by all importers (defined as the consignee as identified on CBP entry documentation, or the importer of record if a consignee is not listed), and exporters (U.S. principal party in interest) of covered species.

**Additional Information**

- To obtain the HMS ITP, download an application from the website or call 727/824-5326.
- Regulatory Questions: 978/281-9260
- Report Preparation: 228/762-7402 x-318
- Website:  
[http://www.nmfs.noaa.gov/sfa/hms/ITP/International\\_Trade\\_Permit.htm](http://www.nmfs.noaa.gov/sfa/hms/ITP/International_Trade_Permit.htm)

It is unlawful to falsify or fail to record, report, or maintain information required to be recorded, reported, or maintained, as specified in 50 C.F.R. § 300.183 (ITP reporting and recordkeeping requirements) or § 300.185 (Requirements for statistical documents and re-export certificates). See 50 C.F.R. § 300.189 for other prohibitions.

Sincerely yours,



Margo Schulze-Haugen  
Acting Chief,  
Highly Migratory Species Management Division

Attachments